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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **O.M.P.(MISC.)(COMM.) 940/2025, I.A. 30403/2025 &**

M/S PARNIKA COMMERCIAL ESTATES PVT LTD

.....Petitioner

Through: Mr. Bhupesh Narula, Ms. Rinku Narula, Mr. Anugrah Ekka & Mr. Kanishk Taneja, Advs.

versus

ARSHAD SHAH

.....Respondent

Through: Mr. Vipul Ganda, Ms. Chandreyee Maitra, Ms. Arpita Sahilu and Ms. Nitu Barik, Advocates

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

09.12.2025

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I.A. 30757/2025

1. This is an application filed under Section 29A (6) of the Arbitration and Conciliation Act, 1996 on behalf of the respondent seeking extension of the mandate of the Arbitrator for a period of 6 months to make and publish the final Award.
2. After some arguments, both the counsels state that in the present case the Arbitrator is from Madhya Pradesh and in addition to making payment of Rs. 2,00,000/- per hearing the parties also have to arrange for travel arrangement and hotel stay, and the same is working out to grave disadvantage to the respondent.
3. Mr. Ganda, learned counsel for the respondent, requests for the



substitute Arbitrator be appointed who is based out of Delhi.

4. Mr. Narula, learned counsel for the petitioner, states that he has no objection to the same.

5. Under Section 29A (6) of the Arbitration and Conciliation Act, 1996 the Court while enlarging the time can make orders for substitution of the Arbitrator.

6. For the said reasons and with consent of parties, the petition is allowed and the following directions are issued:-

- i) Ms. Justice Shalinder Kaur, (Retd. Judge, Delhi High Court) (Mob. No. 8130666013 / 9650448075) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
- ii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
- iii) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- iv) The parties shall approach the learned Arbitrator within two weeks from today.

6. The petitioner has already paid a sum of Rs. 6,60,000 to the previous Arbitrator.

7. Mr. Ganda, learned counsel on instruction states, that on giving



documentary proof of the same the respondent shall reimburse Rs. 3,30,000 to the petitioner.

8. Additionally, the Arbitrator appointed today shall commence the hearing from the stage of evidence.

9. The payment of fee of the Arbitrator, as per fourth schedule, shall be paid equally by both parties, subtracting Rs. 6,60,000, which has already been paid to the earlier Arbitrator. The Arbitrator shall conclude the hearing and pass the Award within one year from today.

10. The mandate of the earlier Arbitrator stands terminated.

11. Let the arbitral record be made available to the new Arbitrator.

12. The application is accordingly disposed of.

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13. In the view of the order passed in I.A. 30757/2025, the petition stands disposed of.

JASMEET SINGH, J

DECEMBER 9, 2025/JYH